

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

LOWER BRULE SIOUX TRIBE; and individual) Case No. 3:22-cv-03008
members Neil Pierre Russell, Stephanie Bolman,)
and Ben Janis,)
Plaintiffs,)
v.)
LYMAN COUNTY; LYMAN COUNTY)
BOARD OF COMMISSIONERS; BRIAN)
KRAUS, in his official capacity as Lyman)
County Commissioner; LESLIE REUER, in her)
official capacity as Lyman County)
Commissioner; ZANE REIS, in his official)
capacity as Lyman County Commissioner;)
RYAN HUFFMAN, in his official capacity as)
Lyman County Commissioner; JARED)
SCHELSKE, in his official capacity as Lyman)
County Commissioner; and DEB HALVERSON,)
in her official capacity as Lyman County Auditor,)
Defendants.)

**FIFTH AFFIDAVIT
OF DEB HALVERSON**

Comes now Deb Halverson, being first duly sworn on her oath, and states and declares as follows:

1. I am the Lyman County Auditor and a defendant in the above-captioned matter.
2. I make this affidavit in support of Defendants' Motion to Stay Discovery.
3. Attached as **Exhibit M** are sixteen (16) sets of discovery requests served upon Defendants on September 28, 2022.
4. Responding to Plaintiffs' extensive discovery prior to the November 2022 elections will be unduly burdensome and time consuming for me.

5. Absentee voting started in our office on Friday, September 23, 2022. Starting Tuesday, October 4th, I will be traveling to Lower Brule every Tuesday afternoon to allow tribal members to absentee vote in person on the reservation.

6. Leading up to election day, there are multiple tabulation tests that need to be run, multiple notices to create and publish, election supplies to sort through for each precinct, voter registrations to enter, absentee ballots to send and process, poll workers to obtain, and poll worker training to prepare for and hold. All of this takes a considerable amount of time on top of the regular daily tasks of my office that have been explained at length in previous affidavits.

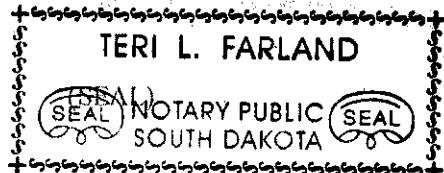
7. As the administrator for the county commissioners, it will fall on me to gather any/all supporting documentation for their requests, on top of being required to answer those specific to me and the county. By my rough estimation, I would need approximately two weeks, of time to devote to formulate and gather the responses to the discovery requests received. This is time that I do not have in the five weeks leading up to the November election.

Dated this 29th day of September, 2022.


Deb Halverson

STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON)
)ss

On this 29th day of September, 2022, before me, the undersigned officer, appeared by way of communication technology Deb Halverson, known to me or satisfactorily proven to be the person who is described in, who executed the within instrument and acknowledged to me that she executed the same.

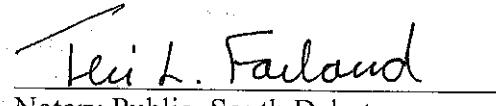


My Commission Expires
November 4, 2025


Teri L. Farland
Notary Public, South Dakota

Notary Public above named hereby acknowledges that I am a duly licensed Notary in the state of South Dakota and pursuant to SDCL 18-1-11.1 I certify that:

- (1) I have personal knowledge of the identity of a person through dealings sufficient to provide reasonable certainty that the person has the identity being claimed;
- (2) Upon receipt of the original signed document I shall affix my notarial officer's signature to the original tangible document executed by the person and in the meantime, I have affixed my signature to a true and correct copy of the document signed by the above named individual;
- (3) I certify that I am able reasonably to confirm that the document before the notarial officer is the same document in which the person made the statement or on which the person executed a signature.



Leil L. Faaland

Notary Public, South Dakota

Dated: September 29, 2022.

GUNDERSON, PALMER, NELSON
& ASHMORE, LLP

By: /s/ Sara Frankenstein

Sara Frankenstein
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